



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

AMENDED
FACT SHEET FOR S.B. 1061

public officials; home addresses; confidentiality

Purpose

Allows a public official or election officer to request that the court prohibit the general public from accessing specified personal information.

Background

An eligible person may request that the general public be prohibited from accessing identifying information relating to the eligible person in records that are maintained by the county recorder, county assessor, county treasurer or the Arizona Department of Transportation (ADOT). Identifying information may include an entire record or specified information contained in a record. An eligible person may request the prohibition by filing an affidavit that states information as prescribed by statute with the superior court in the county that the eligible person resides. The affidavit and application form is developed by the Administrative Office of the Courts in agreement with an association of counties, an organization of peace officers and ADOT (A.R.S. §§ [11-483](#) and [11-484](#)). An eligible person includes a: 1) former public official; 2) peace officer; 3) justice; 4) judge; 5) commissioner; 6) hearing officer; 7) public defender; 8) prosecutor; 9) code enforcement officer; 10) adult or juvenile corrections officer; or 11) additional persons as outlined by statute (A.R.S. §§ [11-483](#); [11-484](#); [28-454](#); [39-123](#); and [39-124](#)).

A person commits a class 5 felony if the person knowingly makes the personal information of certain eligible persons available on the internet and if: 1) the dissemination of the personal information poses an imminent and serious threat to the safety of the eligible person or the eligible person's family; and 2) the threat is reasonably apparent to the person making the information available on the internet to be serious and imminent ([A.R.S. § 13-2401](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Adds a public official and election officer to the definition of an *eligible person* who may request that the general public be prohibited from accessing the person's identifying information, including:
 - a) specified information in the person's voting record; or
 - b) records maintained by ADOT, the county recorder, county assessor and county treasurer.
2. Prohibits a person from knowingly making a public official's or election officer's personal information available on the internet if the dissemination of the personal information poses an imminent and serious threat to the safety of the public official or election officer or the public official's or election officer's immediate family.

3. Adds, to the definition of *personal information*, a public official's and election officer's home address, home telephone number, pager number, personal photograph, directions to the person's home or photographs of the person's home or vehicle.
4. Allows a public official to prohibit the general public from accessing the address of a property held in trust by the public official.
5. Defines *public official* as a person who is duly elected or appointed to Congress, the Legislature or a statewide office.
6. Defines *election officer* as a state, county or municipal employee who holds an election officer's certificate.
7. Makes technical and conforming changes.
8. Becomes effective on the general effective date.

Amendments Adopted by Committee

- Allows a public official to prohibit the general public from accessing the address of a property held in trust by the public official.

Amendments Adopted by the House of Representatives

1. Adds an election officer to the definition of an *eligible person*.
2. Defines *election officer*.
3. Makes conforming changes.

Senate Action

GOV	2/1/23	DPA	8-0-0
3 rd Read	2/28/23		30-0-0

House Action

GOV	3/15/23	DPA	9-0-0-0
3 rd Read	4/13/23		43-12-4-0-1

Prepared by Senate Research
April 13, 2023
AN/SB/slp